

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 9, 1952
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Drake presiding.

Roll Call:

Present: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Absent: None

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works.

Councilman Johnson moved that the Minutes of the previous meeting be approved. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

MR. ED CLARK inquired about the hearing on the Owsley report and when they could meet with Mr. Owsley. The Mayor stated the Council had not heard from Mr. Owsley.

MR. DARBY HAMMOND, 1505 Pasadena Drive, representing citizens in the Crestview and Violet Crown sections, asked that the CAA's fan marker located near Brentwood Park be moved to another location to eliminate interference with the television reception. MR. HUGH BORING and MR. HORACE J. FOHN of the CAA gave a lengthy technical explanation of the effects the fan marker would have on television reception and the expense of moving the fan marker. They stated CAA would cooperate in any way they could and asked dealers, repair and maintenance men to cooperate in eliminating the interference. COUNCILMAN MAC CORKLE felt that it would be better to try to cut out the interference rather than to move the fan marker. COUNCILMAN LONG suggested that the CAA be given six to eight weeks to work something out.

PUBLIC HEARING on Paving of Units 2, 3, 5, 9 and 20 of the Thoroughfare Paving Program was held. The City Attorney announced this hearing was called to consider the proposed assessment against the abutting property owners and streets listed. Notice of the hearing was published in the American-Statesman on September 28th, 29th and 30th. The City Attorney stated that Mr. C. G. Levander, Director of Public Works was present and would explain the nature of the improvements and outline the method of assessment and plan for pavement. Mr. Levander stated this would be a pavement composed of 4" compacted flexible base and 6" hot mix asphaltic concrete. The property owners would pay 80% of the total cost of a 30' street and the City pay 20% plus any additional width, which in this case is 10'. This is payable in eight payments, one after the acceptance of the pavement by the Council and seven years to pay the balance at 5% interest. These are on-or-before notes and can be paid off at any time. Mr. J. J. Wychopen, 4400 Sinclair, spoke briefly protesting high taxes. The hearing was then recessed.

ZONING HEARING for Mr. Jack Sparks - 607 West 12th Street for change from "C" Commercial with restrictions to "C" Commercial was postponed at the request of Mr. Sparks.

ZONING HEARING for Mr. Jasper Glover - 1165E & 1167E Webberville Road and 1152E to 1156E Eastfield Avenue for change from "A" Residence to "C-2" Commercial was held. Mr. Byron Lockhart, Attorney for Mr. Glover, asked that the application be changed to "C" Commercial when it was established that this property was in a dry area for the County. Councilman Long moved that the Council re-refer this application to the Zoning Commission for consideration of changing the property to "C" Commercial. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Application of SIGMA PHI EPSILON ALUMNI CORP. for permission to maintain a nursery school at 2610 Rio Grande Street was brought up and laid over, with the understanding that the property had been sold.

MRS. A. L. PATTEN requested permission to operate a rest home for the aged at 1205 Nueces. Mr. Alice Anderson spoke for this request stating that all standards for a rest home would be met and the location was convenient. A petition, signed by 24 residents, was submitted objecting to the rest home. Councilman Long asked that the Health Officer and Fire Marshal inspect all applications for rest homes, nursery schools, clinics, etc. allowed in a "B" Residence District, and indicate if approved before the application comes to the Council. The Council deferred this application until next week.

Mayor Drake brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 16.63 ACRES OF LAND, BEING A PORTION OF A 103.06 ACRE TRACT OUT OF THE GEORGE W. DAVIS SURVEY NO. 15, IN TRAVIS COUNTY, TEXAS, WHICH SAID

The George W. Spear and

ADDITIONAL TERRITORY LIES ADJACENT TO THE CITY OF AUSTIN, IN THE PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the second time and Councilman Johnson moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN, PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith, AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SUBSECTION 2 OF SECTION 1, ARTICLE I, RELATING TO VEHICLES DEFINED, AND BY AMENDING ARTICLE V BY ADDING THERETO A NEW SECTION DESIGNATED AS SECTION 34-A, RELATING TO TRUCK TRAFFIC LIMITED TO TRUCK ROUTES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the second time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the third time and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in Marlton drive, from a point 192 feet east of Wayside Drive westerly 50 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said MARLTON DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in BETTY COOK DRIVE, from a point 23 feet south of Jack Cook Drive northerly 67 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said BETTY COOK DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in JACK COOK DRIVE, from Walnut Hills Drive easterly 297 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said JACK COOK DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(4) A gas main in WALNUT HILLS DRIVE across Jack Cook Drive intersection, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of WALNUT HILL DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(5) A gas main in AVENUE H, from a point 125 feet south of East 55th Street northerly 625 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said AVENUE H.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(6) A gas main in JUSTIN LANE, from a point 613 feet west of Yates Avenue westerly 52 feet, the centerline of which gas main shall be 7.5 feet south of and parallel

to the north property line of said JUSTIN LANE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(7) A gas main in ETHEL STREET, from a point 279 feet north of Treadwell Street northerly 97 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said ETHEL STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(8) A gas main in NASH AVENUE, from Kinney Avenue westerly 434 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said NASH AVENUE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(9) A gas main in TISDALE DRIVE, from a point 77 feet south of Dale Drive northerly 753 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet west of and parallel to the east property line of said TISDALE DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(10) A gas main in DALE DRIVE, from Tisdale Drive easterly 344 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet south of and parallel to the north property line of said DALE DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(11) A gas main in GUALT STREET, from Dale Drive northerly 633 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet west of and parallel to the east property line of said GUALT STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

The Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utilities damaged during the construction of

of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman White moved that the following ordinance be introduced:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF
CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN
AND THE ANNEXATION OF CERTAIN ADDITIONAL
TERRITORY CONSISTING OF 14.53 ACRES OF LAND OUT
OF THE HENRY P. HILL LEAGUE IN TRAVIS COUNTY,
TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES
ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY
LIMITS OF THE CITY OF AUSTIN, IN THE PARTICULARS
STATED IN THE ORDINANCE.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

A petition was submitted to protest against granting Austin Transit Company authority to increase its Bus Fares unless certain conditions are complied with by the Company. Councilman Long asked that this petition be filed with other information regarding the bus fare increase and made available at the hearing.

The Council set the following Zoning Applications for public hearing on November 13, 1952:

EUGENE VEGA	2101 Haskell Street	From "A" to "C" NOT Recommended by the Zoning Commission
MRS. BEN A. SIECK (Mr. T. J. North)	Koenig Lane between Arroya Seca and Joe Sayers	From "A" to "C" NOT Recommended by the Zoning Commission

The Council laid on the table a resolution authorizing the City Manager to execute a certain contract of employment by which the City of Austin would employ Julian Montgomery as Engineer in connection with a bridge on 8th Street across Waller Creek and a bridge on Shoal Creek Boulevard across Hancock Branch.

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Elmer Burch has assigned to Homer R. Perkins his interest in that certain lease by and between the City of Austin and Elmer Burch, such lease bearing date of July 1, 1950; and

WHEREAS, in accordance with the terms of such lease Elmer Burch has requested that the City of Austin give its written consent to such assignment; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the consent of the City of Austin be and it is hereby given to the assignment by Elmer Burch to Homer R. Perkins of his interest in that certain lease dated July 1, 1950, by and between the City of Austin as Lessor and Elmer Burch as Lessee, and the City Manager is hereby authorized and directed to evidence such consent by endorsement on such assignment.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there are now situated within the Corporate Limits of the City of Austin and upon the campus of St. Edwards University three (3) fireplugs which are so constructed as to meet the minimum standards of the City of Austin; and,

WHEREAS, such fireplugs were installed by St. Edwards University at a time when such plugs were situated outside the Corporate Limits of the City of Austin; and,

WHEREAS, St. Edwards University desires to transfer control of such fireplugs to the City of Austin, and has caused a written instrument to be executed transferring such fireplugs to the City of Austin, Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

That the transfer to the City of Austin of three (3) fireplugs located on the campus of St. Edwards University, by St. Edwards University, be and the same is hereby accepted.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the final plat of the subdivision known as "Resubdivision of Lot 1 and Part of Lot 2, Marlton Place, Section 2", approved by the City Plan Commission of the City of Austin on September 25, 1952, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion, seconded by Councilman Johnson, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the final plat of the subdivision known as "Shoal Village, Section 3", approved by the City Plan Commission of the City of Austin on September 25, 1952, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the final plat of the subdivision known as "Resubdivision of Lots 9, 10 and 11, Block 4 of Broadacres", approved by the City Plan Commission of the City of Austin on September 25, 1952, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion, seconded by Councilman MacCorkle, carried by the following vote:
Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Council received the following request:

"The Longhorn Boat Club of Austin respectfully requests permission to conduct a motor boat race on Sunday, October 19, 1952, on Lake Austin at City Park. This will be the last race of the season to be conducted by this club and all outboard motors participating will be run with stock mufflers. Trial runs by individual competing boats will be held during the morning between 8 o'clock A.M. and noon and the races will be run between 1 o'clock and approximately 5 o'clock P.M.

"The race course location at City Park is desired because the recent rains, coupled with the presence of a large number of pigs upon the rented club premises, has rendered such premises undesirable for spectators at this time.

"It might be added that the public will be invited to view the races without charge upon this occasion.

"It will be deeply appreciated if you will grant the requested permission to conduct this last organized race of the season on the lake at City Park.

Councilman Long moved that the Longhorn Boat Club be granted permission to conduct this boat race on Sunday, October 19, subject to the same provisions as the last race. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

Request of the Good Shepherd Episcopal Church, 2206 Exposition, for permission to hang a banner across the street was submitted. The Mayor stated he would talk with them.

Councilman Long moved that a meeting be set with the Parks and Recreation Board for Monday October 20, 1952 at 8:00 P.M. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

Councilman Long moved that the appointment of Mr. Edward Robinson on the Civil Service Commission be confirmed and Dr. C. E. Castaneda be appointed to fill the vacancy on the Library Commission. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

After discussion of the drainage problem in the 1000 block of East 13th Street, reported by Mr. Gillis C. Jefferson September 25th, Councilman Long moved that the City Manager be instructed to work with the Legal Department and the Engineering Department to clear up this problem. The motion, seconded

by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Long requested that Mr. Jefferson be informed of this action.

Councilman Long inquired about the drainage at Shoalcreek and Hancock.

Councilman White read the following statement:

"I would like to see this Council approve extra money in 1953 to put two Policemen to each patrol car.

"Since Patrolman MacFarland's misfortune we all should do something about it. These men guard over all of the people and property of our City while we sleep. It certainly seems we should make their lives more safely by putting two men to each patrol car.

"They have their wives and children that depend on them. What can one man do with Despradoes or Maniacs.

"I move we make the money available in the 1953 Budget to have two men to all patrol cars."

After discussion, Councilman White moved that the City Manager be instructed to make a study of the national trend of putting two Policemen in each patrol car, how it is effecting other cities and report back to the Council. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

There being no further business the Council adjourned at 12:40 P.M. subject to the call of the Mayor.

APPROVED: W. S. Drake

Mayor

ATTEST:

Grace Monroe
Deputy City Clerk